

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CASE(S)
LISTED ON THE EXHIBIT ATTACHED HERETO:

JOINT MOTION TO DISMISS CERTAIN DEFENDANTS WITH PREJUDICE

Plaintiffs in the cases listed on the attached Exhibits A through O and Defendants Sofradim Production SAS,¹ Tissue Science Laboratories Limited,² and Covidien LP³ (collectively the “Covidien entities”) and C. R. Bard, Inc., to the extent they are named as Defendants, advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims.

Accordingly, Plaintiffs, the Covidien entities and Bard jointly move the court to dismiss the Covidien entities and Bard (where named) with prejudice in the cases listed on the attached Exhibits A through O, with each party to bear its own costs.

¹ Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

² Tissue Science Laboratories Limited includes any incorrect or incomplete spellings of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

³ Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., Medtronic Sofamor Danek, USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

The settlements in the cases listed on Exhibits A through O relate only to the Covidien entities and Bard. Because other Defendant(s) remain in the cases listed on Exhibits A through O, the case(s) should remain open and Plaintiffs will continue to prosecute their claims against any remaining defendants.

Respectfully submitted this 9th day of February, 2018.

/s/ Micah L. Hobbs

Micah L. Hobbs
mhobbs@shb..com
Devin K. Ross
dkross@shb.com
Deborah A. Moeller
dmoeller@shb.com
SHOOK, HARDY & BACON L.L.P.
2555 Grand Boulevard
Kansas City, MO 64108
Phone: 816.474.6550
Fax: 816.421.5547
Counsel for Covidien Entities

/s/ William M Audett

William M. Audet
waudet@audetlaw.com
AUDET & PARTNERS
711 Van Ness Avenue, Suite 500
San Francisco, CA 94102
Phone: 415.568.2555
Fax: 415.568.2556
Counsel for Plaintiffs listed on Exhibit A

/s/ Gregory F. Coleman

Gregory F. Coleman
greg@gregcolemanlaw.com
GREG COLEMAN LAW
550 West Main, Suite 600
Knoxville, TN 37902
Phone: 865.247.0080
Fax: 865.522.0049
Counsel for Plaintiffs listed on Exhibit C

/s/ J. Mark Kell

J. Mark Kell
mark.kell@kelllaminlaw.com
Mark Edward Berns
berns@onderlaw.com
KELL LAMPIN
14500 South Outer Forty, Suite 407
Chesterfield, MO 63017
Phone: 636.498.4878
Fax: 636.498.3971
Counsel for Plaintiffs listed on Exhibit E

/s/ Richard B. North, Jr.

Richard B. North, Jr.
richard.north@nelsonmullins.com
Melissa Foster Bird
melissa.fosterbird@nelsonmullins.com
NELSON MULLINS RILEY & SCARBOROUGH
L.L.P
P.O. Box 1856
Huntington, WV 25719-1856
Phone: 304.526.3500
Fax: 304.526.3599
Counsel for C.R. Bard, Inc.

/s/ Shezad Malik

Shezad Malik
malik2law@yahoo.com
DR. SHEZAD MALIK LAW FIRM
4925 Greenville Avenue, Suite 320
Dallas, TX 75206
Phone: 888.210.9693
Fax: 888.210.9693
Counsel for Plaintiffs listed on Exhibit B

/s/ Lisa Ann Gorshe

Lisa Ann Gorshe
lgorshe@johnsonbecker.com
JOHNSON BECKER
33 South Sixth Street, Suite 4530
Minneapolis, MN 55402
Phone: 612.436.1800
Fax: 612.339.8168
Counsel for Plaintiffs listed on Exhibit D

/s/ Carolyn R. Guest

Carolyn R. Guest
crg@m-j.com
Gregory M. Martin
gmm@m-j.com
MARTIN & JONES
410 Glenwood Avenue, Suite 200
Raleigh, NC 27603
Phone: 919.821.0005
Fax: 919.863.6074
Counsel for Plaintiffs listed on Exhibit F

/s/ Donald A. Migliori

Donald A. Migliori
dmigliori@motleyrice.com

MOTLEY RICE
321 South Main Street, Suite 200
Providence, RI 02903
Phone: 401.457.7700
Fax: 401.457.7708

Counsel for Plaintiffs listed on Exhibit G

/s/ Robert J. Fenstersheib

Robert J. Fenstersheib
rjf@fenstersheib.com

ROBERT J. FENSTERSHEIB & ASSOCIATES
520 West Hallandale Blvd.
Hallandale, FL 33009
Phone: 954.456.2488
Fax: 954.212.2980

Counsel for Plaintiffs listed on Exhibit I

/s/ Jason J. Thompson

Jason J. Thompson
jthompson@sommerspc.com

SOMMERS SCHWARTZ
2000 Town Center, Suite 900
Southfield, MI 48075
Phone: 248.355.0300
Fax: 248.436.8453

Counsel for Plaintiffs listed on Exhibit K

/s/ Jeffrey S. Glassman

Jeffrey S. Glassman
jsg@jeffreysglassman.com

THE LAW OFFICES OF JEFFREY S.
GLASSMAN
One Beacon Street, Suite 3333
Boston, MA 02108
Phone: 617.367.2900
Fax: 617.720.9999

Counsel for Plaintiffs listed on Exhibit M

/s/ James G. Onder

James G. Onder
onder@onderlaw.com

Michael Joseph Quillin
quillin@onderlaw.com
ONDER SHELTON O'LEARY & PETERSON
110 East Lockwood, 2nd Floor
St. Louis, MO 63119
Phone: 314.963.9000
Fax: 314.963.1700

Counsel for Plaintiffs listed on Exhibit H

/s/ Trent B. Miracle

Trent B. Miracle
tmiracle@simmonsfirm.com

SIMMONS HANLY CONROY
One Court Street
Alton, IL 62002
Phone: 618.259.2222
Fax: 618.259.2251

Counsel for Plaintiffs listed on Exhibit J

/s/ David Kuttles

David Kuttles
dxk@lanierlawfirm.com
THE LANIER LAW FIRM
126 East 56th Street, Sixth Floor
New York, NY 10022
Phone: 212.421.2800
Fax: 212.421.2878

Counsel for Plaintiffs listed on Exhibit L

/s/ Amy Collignon Gunn

Amy Collignon Gunn
agunn@simonlawpc.com

John G. Simon
jsimon@simonlawpc.com
THE SIMON LAW FIRM
800 Market Street, Suite 1700
St. Louis, MO 63101
Phone: 314.241.2929
Fax: 314.241.2029

Counsel for Plaintiffs listed on Exhibit N

/s/ Edward A. Wallace

Edward A. Wallace

eaw@wexlerwallace.com

WEXLER WALLACE

55 West Monroe Street, Suite 3300

Chicago, IL 60603

Phone: 312.346.2222

Fax: 312.346.0022

Counsel for Plaintiffs listed on Exhibit O

EXHIBIT A - AUDET & PARTNERS

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:13-cv-01491	Vandervelde, Wilda and Albert

EXHIBIT B - DR. SHEZAD MALIK LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:14-cv-24630	Jennings, Holly

EXHIBIT C - GREG COLEMAN LAW

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:15-cv-03471	Stamback, Linda and Farrell

EXHIBIT D - JOHNSON BECKER

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:13-cv-25780	Case, Barbara

EXHIBIT E - KELL LAMPIN

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:12-cv-09370	Karlhofer, Patricia
2:13-cv-11105	Huddleston, Wanda

EXHIBIT F - MARTIN & JONES

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:13-cv-07265	McCain, Evelyn A. and Robert E.

EXHIBIT G - MOTLEY RICE

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:12-cv-02487	Nichols, Doris and James
2:13-cv-00816	Lucas, Rebecca Anne and Joseph P.
2:13-cv-01598	Robinson, Amanda and Jerald F., Jr.
2:13-cv-09576	White, Kathleen Mae

EXHIBIT H - ONDER SHELTON O'LEARY & PETERSON

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:13-cv-07891	Kremp, Carolyn and Ralph
2:14-cv-19899	Guiland, Helen

EXHIBIT I - ROBERT J. FENSTERSHEIB & ASSOCIATES

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:13-cv-31237	Mangels, Teresa
2:13-cv-31427	Topi, Clara and Stephen

EXHIBIT J - SIMMONS HANLY CONROY

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:12-cv-06752	Gravish, Darlene
2:13-cv-01337	Stacey, Barbara S.
2:13-cv-03080	Peyton, Frances G.
2:13-cv-05753	Flatt, Josephine M.
2:13-cv-11007	Van Matre, Diana L.
2:13-cv-28711	Farrell, Barbara
2:14-cv-07097	Bruce, Betty and Gilbert

EXHIBIT K - SOMMERS SCHWARTZ

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:15-cv-14879	Ben, Pamela
2:15-cv-14881	Crumpler, Donita

EXHIBIT L - THE LANIER LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:12-cv-08365	Sullivan, Theresa and Bryan
2:12-cv-09917	Jolicoeur, Sheree L. and Rene M.
2:13-cv-02836	Tagliavento, Merry
2:13-cv-11464	Holdren, Anna L. and Eugene A.
2:13-cv-12038	Craddock, Carlotta M.
2:13-cv-16368	Gardner, Glenda

EXHIBIT M - THE LAW OFFICES OF JEFFREY S. GLASSMAN

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:14-cv-18624	Walrond, Opal and Ronald
2:14-cv-21446	Zblewski, Judith and Jerry
2:14-cv-26260	Pierce, Rebecca and Mark

EXHIBIT N - THE SIMON LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:13-cv-03089	Jones, Mabel
2:13-cv-22045	Marlo, Kathy L. and Michael P.
2:13-cv-22631	Phillips, Donna and David
2:16-cv-00247	Strovinsky, Cindy and Michael

EXHIBIT O - WEXLER WALLACE

CIVIL ACTION NUMBER (listed numerically in ascending order)	Case Name
2:16-cv-02025	Mollan, Cathy A. and Russell

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2018, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

By: /s/ Micah L Hobbs
Micah L. Hobbs
Attorney for Covidien Entities